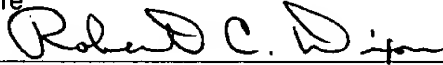
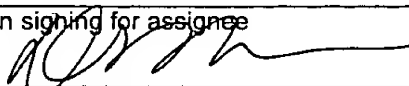


<b>REISSUE APPLICATION BY THE INVENTOR, OFFER TO SURRENDER PATENT</b>		<b>Docket Number (Optional)</b>  226/132
<p>This is part of the application for a reissue patent based on the original patent identified below.</p> <p>Name of Patentee(s)      Robert C. Dixon</p> <p>Patent Number      5,850,600      Date Patent Issued      12/15/1998</p> <p>Title of Invention          Three Cell Wireless Communication System</p> <p>I am the inventor of the original patent.</p> <p>I offer to surrender the original patent.</p> <p>1. <input checked="" type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b).</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.</p> <p>One of boxes 1 or 2 above must be checked.</p> <p>The written consent of all assignees owning an undivided interest in the original patent is included in this application for reissue.</p>		
Signature 		Date 4-5-00
Typed or printed name Robert C. Dixon		
The assignee owning an undivided interest in said original patent is <u>Omnipoint Corporation</u> , and the assignee consents to the accompanying application for reissue.		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.		
Name of assignee OMNIPOINT CORPORATION		
Signature of person signing for assignee 		Date 5/30/00
Typed or printed name and title of person signing for assignee David A. Miller, Vice President and Assistant Secretary		

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



DATE: 08/12/91

**TÒ:**

STEVEN A. SWERNOFSKY  
611 W. SIXTH ST., 34TH FL.  
LOS ANGELES, CA 90017

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS, ON THIS NOTICE, PLEASE SEND A REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:

DIXON, ROBERT C.

DOC DATE: 05/24/91

RECORDATION DATE: 06/10/91    NUMBER OF PAGES 003    REEL/FRAME 5747/0080

# DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:

OMNIPOINT DATA CO., INCORPORATED  
242 MARLBORO STREET  
BOSTON, MASSACHUSETTS 02116

SERIAL NUMBER	7-682050	FILING DATE	04/08/91
PATENT PATENT		ISSUE DATE	00/00/00

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Express Mail #EL524788042US  
Docket No. 226/132  
June 14, 2000

MRD 8/20/96

Best Available Copy

AUG 1996

RECEIPT

581/40

FORM PTO-1595

(Rev. 6-93)

OMB No. 351-0011 (Rev. 4-94)

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08-23-1996



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SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

211/241

To the Honorable Commissioner

attached original documents or copy thereof.

1. Name of conveying party(ies):

Omnipoint Data Company, Incorporated

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Omnipoint Corporation

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

1365 Garden of the Gods Road

City: Colorado Springs

State: CO

ZIP: 80907

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☐ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☒ Other Change of Name and Address

of Assignee effective July 29, 1993

Execution Date: \_\_\_\_\_

4. Application number(s) or patent number(s): 08/410,901

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

08/410,901

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Steven D. Hemminger

Internal Address: LYON & LYON

Street Address: 633 West Fifth Street

Suite 4700

City: Los Angeles State: CA ZIP: 90071

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

12-2475

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Steven D. Hemminger

Name of Person Signing

Signature

August 14, 1996

Date

Total number of pages including cover sheet, attachments, and document: 8

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

Express Mail #ELS24788042US  
Docket No. 226/132  
June 14, 2000

## Guidelines for Completing Patent Cover Sheets

Cover Sheet information must be submitted with each document to be recorded. If the document to be recorded concerns both patents and trademarks, separate patent and trademark cover sheets, including any attached pages for continuing information, must accompany the document. All pages of the cover sheet should be numbered consecutively, for example, if both a patent and trademark cover sheet is used, and information is continued on one additional page for both patents and trademarks, the pages of the cover sheet would be numbered from 1 to 4.

### Item 1. Name of Conveying Party(ies)

Enter the full name of the party(ies) conveying the interest. If there is insufficient space, enter a check mark in the "Yes" box to indicate that additional information is attached. The name of the additional conveying party(ies) should be placed on an attached page clearly identified as a continuation of the information in Item 1. Enter a check mark in the "No" box, if no information is contained on an attached page.

### Item 2. Name and Address of Receiving Party(ies).

Enter the name and full address of the first party receiving the interest. If there is more than one party receiving the interest, enter a check mark in the "Yes" box to indicate that additional information is attached. Enter a check mark in the "No" box, if no information is contained on an attached page.

### Item 3. Nature of Conveyance.

Place a check mark in the appropriate box describing the nature of the conveying document. If the "Other" box is checked, specify the nature of the conveyance. Enter the execution date of the document. It is preferable to use the name of the month, or an abbreviation of that name, in order that confusion over dates is minimized.

### Item 4. Application Number(s) of Patent number(s).

Indicate the application number(s), and/or patent number(s) against which the document is to be recorded. National application numbers must include both the series code and the serial number; and the international application numbers must be complete, e.g. 07/123,456 for national application numbers, and PCT/US91/12345 for international application numbers. Enter a check mark in the appropriate box: "Yes" or "No" if additional numbers appear on attached pages. Be sure to identify numbers included on attached pages as the continuation of Item 4.

### Item 5. Name and Address of Party to whom correspondence concerning the document should be mailed.

Enter the name and full address of the party to whom correspondence is to be mailed.

### Item 6. Total Applications and Patents Involved.

Enter the total number of applications and patent identified for recordation. Be sure to include all applications and patent identified on the cover sheet and on additional pages.

### Block 7. Total Fee Enclosed.

Enter the total fee enclosed or authorized to be charged. A fee is required for each application and patent against which the document is recorded.

### Item 8. Deposit Account Number.

Enter the deposit account number to authorize charges. Attach a duplicate copy of cover sheet to be used for the deposit charge account transaction.

NOW, THEREFORE, for a valuable consideration the receipt of which is hereby acknowledged, I, the said inventor do hereby sell, assign, transfer, and set over unto the said OMNIPOINT DATA CO., INCORPORATED, its successors and assigns, the full and exclusive right, title, and interest in and to the said invention, and in and to any and all Letters Patent to be granted and issued therefor, in the United States of America, its territories and possessions, including all priority rights under

the International Convention; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said OMNIPOINT DATA CO., INCORPORATED, it's successors and assigns, in accordance with this Assignment.

Executed at Colorado Springs, Colorado,  
this 24<sup>th</sup> day of May, 1991.

By Robert C. Dixon  
Robert C. Dixon

COLORADO  
STATE OF CALIFORNIA )  
COUNTY OF El Paso ) ss.

On this 24<sup>th</sup> day of May, 1991,  
before me, a Notary Public, personally appeared ROBERT C. DIXON,  
known to me to be the person whose name is subscribed to the  
within instrument, and acknowledged that he executed the same.

Marie H. Benjamin  
Notary Public in and for said  
County and State

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PATENT & TRADEMARK OFFICE  
JUN 10 91



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DECEMBER 01, 1997

PTAS

LYON & LYON  
STEVEN D. HEMMINGER  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES, CA 90071

UNITED STATES PATENT AND TRADEMARK OFFICE  
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/20/1996

REEL/FRAME: 8095/0429  
NUMBER OF PAGES: 6

BRIEF: CHANGE OF NAME AND ADDRESS OF ASSIGNEE EFFECTIVE JULY 29, 1993

ASSIGNOR:

OMNIPOINT DATA COMPANY,  
INCORPORATED

DOC DATE: 07/29/1993

ASSIGNEE:

OMNIPOINT CORPORATION  
1365 GARDEN OF THE GODS ROAD  
COLORADO SPRINGS, COLORADO 80907

SERIAL NUMBER: 08410901  
PATENT NUMBER: 5640674

FILING DATE: 03/27/1995  
ISSUE DATE: 06/17/1997

MARGARET LASALLE, PARALEGAL  
ASSIGNMENT DIVISION  
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U.S. PROSECUTION

Express Mail #EL524788042US  
Docket No. 226/132  
June 14, 2000

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

226/132

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,850,600, granted 12/15/98, and for which a reissue patent is sought on the invention entitled Three Cell Wireless Communication System

the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as reissue application number \_\_\_\_ / \_\_\_\_\_ and was amended on \_\_\_\_\_ (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:


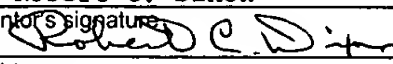
The attorney failed to appreciate the full scope of the invention and unduly restricted the invention by requiring that base stations in adjacent cells must each be assigned different frequencies for communication, and that user stations within adjacent cells have to also be assigned different frequencies for communication. The possibility of this error was first discovered after payment of the issue fee, but the attorney did not fully appreciate the proper scope of the invention until after conducting an investigation which was not completed until after the patent issued.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Docket No. 226/132  
June 14, 2000



(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) 226/132	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.			
Name(s)		Registration Number	
Steven D. Hemminger		30,755	
Correspondence Address: Direct all communications about the application to:			
<input type="checkbox"/> Customer Number		<input type="text"/>	
OR		Type Customer Number here	
		 Place Customer Number Bar Code Label Here 22249 PATENT TRADEMARK OFFICE	
<input type="checkbox"/> Firm or Individual Name	Lyon & Lyon LLP		
Address	633 West Fifth Street		
Address	47th Floor		
City	Los Angeles	State	CA
Country	U.S.A.		
Telephone	(408) 993-1555	Fax	(408) 287-2664
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name) Robert C. Dixon			
Inventor's signature 			
Residence 14717 Perry Park Drive		Date 4-5-00	
Post Office Address Palmer Lake, Colorado 80133		Citizenship U.S.A.	
Full name of second joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Post Office Address			
Full name of third joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Post Office Address			
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

36542 U.S. PTO

09/595557

06/14/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert C. Dixon

U.S. Patent No.: 5,850,600

Filed: June 16, 1997

Issued: December 15, 1998

For: THREE CELL WIRELESS  
COMMUNICATION SYSTEM

)  
) Group Art Unit [Issued Patent]: 2745  
)  
) Examiner [Issued Patent]:  
) Banks-Harold, M.  
)  
)  
)  
)  
)  
)

CONSENT TO THE REISSUE BY THE ASSIGNEE

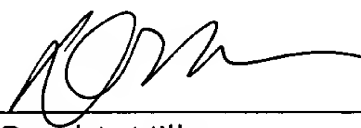
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

OMNIPOINT CORPORATION, assignee of U.S. Patent No. 5,850,600, consents to the  
filing of the present application for the reissue of U.S. Patent No. 5,850,600.

Dated: MAY  
April 30, 2000

By: \_\_\_\_\_

  
David A. Miller  
Vice President and Assistant Secretary  
Omnipoint Corporation

## POWER OF ATTORNEY

DOCKET INFORMATION  
192/270

OMNIPOINT DATA COMPANY, INC.

assignee(s) of the application for United States

Letters Patent for an improvement in "THREE CELL WIRELESS COMMUNICATION SYSTEM"

(Title)

by ROBERT C. DIXON

(Inventors)

☐ executed on even date herewith, or☒ having Serial No. 07/682,050 filed April 8, 1991

a copy of the assignment of which is attached hereto, do(es) hereby appoint as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; James J. Short, Reg. No. 25,922; Robert C. Weiss, Reg. No. 24,939; William E. Thomson, Jr., Reg. No. 20,719; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Kenneth D'Alessandro, Reg. No. 29,144; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; Bradford J. Duft, Reg. No. 32,219; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; and STEVEN A. SWERNOFSKY

Reg. No. 33,040

Send Correspondence to: LYON &amp; LYON

Direct Telephone Calls to:

34th Floor, 611 W. Sixth St. Steven A. Swernofsky

Los Angeles, CA 90017 (213) 489-1600 x323

I, the undersigned, declare that I am the (an) assignee of the above-identified application or, if the assignee is a corporation, partnership or other association, I am authorized to make this appointment on behalf of the assignee and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 4001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of Assignee OMNIPOINT DATA CO., INCORPORATED	
Post Office Address 242 Marlboro Street Boston, MA 02116	
Signature of Declarant or Assignee X <i>Steven A. Swernofsky</i>	Date X May 30, 1991

Full Name of Assignee	
Post Office Address	
Signature of Assignee	Date

Full Name of Declarant If Other Than Assignee	
Title of Declarant	
Address of Declarant	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Group Art Unit [Issued Patent]: 2745
	)	
Robert C. DIXON	)	Examiner [Issued Patent]:
	)	Banks-Harold, M.
U.S. Patent No. 5,850,600	)	
	)	
Filed: June 16, 1997	)	
Issued: December 15, 1998	)	
	)	
For: THREE CELL WIRELESS	)	
COMMUNICATION SYSTEM	)	
	)	

**STATEMENT UNDER 37 C.F.R. §3.73(b)**

Sir or Madam:

Attached herewith are documents evidencing a chain of title which establishes that OMNIPOINT CORPORATION is the present assignee of U.S. Patent No. 5,850,600. This patent is a continuation of Serial No. 410,901, filed March 27, 1995, now U.S. Patent No. 5,640,674, which in turn is a continuation of Serial No. 682,050, filed April 8, 1991, now U.S. Patent No. 5,402,413.

Exhibit A is a copy of the original assignment recorded for the grandparent of the present application, Serial No. 682,050, now U.S. Patent No. 5,402,413, which was recorded in the PTO on June 10, 1991 at Reel 5747, Frame 081.

Exhibit B is a copy of the PTO Notice of Assignment Recordation of the above document.

Exhibit C is a copy of the Change of Name and Address of Assignee from Omnipoint Data Company to Omnipoint Corporation recorded for the parent of the present application, Serial No. 410,901, now U.S. Patent No. 5,640,674, which was recorded in the PTO on August 20, 1996 at Reel 8095, Frame 0429.

Exhibit D is a copy of the PTO Notice of Assignment Recordation of the above document.

Exhibit E is a copy of the Power of Attorney filed with this reissue application.

Respectfully submitted,

LYON & LYON LLP

Date: June 14, 2000

By: 

Steven D. Hemminger  
Reg. No. 30,755  
Attorneys for Applicant

633 W. Fifth Street, Suite 4700  
Los Angeles, CA 90071-2066  
Tel. (408) 993-1555  
Fax. (408) 287-2664